

PUBLIC NOTICE

US Army Corps of Engineers ⊕ New England District

696 Virginia Road Concord, MA 01742-2751 Date: April 21, 2009

Comment Period Ends: May 21, 2009

File Number: NAE-2008-1583

In Reply Refer To: Barbara Newman

Or by e-mail: Barbara.h.Newman

@usace.army.mil

The District Engineer has received a permit application from the applicant below to conduct work in waters of the United States as described below.

APPLICANT: Borough of Naugatuck

ACTIVITY This activity involves the construction of approximately 120 linear feet of retaining wall on the north side of Long Meadow Brook. A detailed description and plans of the activity are attached.

WATERWAY AND LOCATION OF THE PROPOSED WORK

This work is proposed in Long Meadow Brook at the rear of 110 Rubber Ave, Naugatuck, Connecticut. The proposed location on the USGS Naugatuck quadrangle sheet is at latitude 41.4867N and longitude 73.05822 West.

AUTHORITY

| Permits are required pursuant to: |
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| Section 10 of the Rivers and Harbors Act of 1899 |
| x_ Section 404 of the Clean Water Act |
| Section 103 of the Marine Protection, Research and Sanctuaries Act). |

The decision whether to issue a permit will be based on an evaluation of the probable impact of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which may reasonably accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered, including the cumulative effects thereof; among those are: conservation, economics, aesthetics, general environmental concerns, wetlands, cultural value, fish and wildlife values, flood hazards, flood plain value, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food production and, in general, the needs and welfare of the people.

The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above.

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Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

Where the activity involves the discharge of dredged or fill material into waters of the United States or the transportation of dredged material for the purpose of disposing it in ocean waters, the evaluation of the impact of the activity in the public interest will also include application of the guidelines promulgated by the Administrator, U.S Environmental Protection Agency, under authority of Section 404(b) of the Clean Water Act, and/or Section 103 of the Marine Protection Research and Sanctuaries Act of 1972 as amended.

Based on his initial review, the District Engineer has determined that little likelihood exists for the proposed work to impinge upon properties with cultural or Native American significance, or listed in, or eligible for listing in, the National Register of Historic Places. Therefore, no further consideration of the requirements of Section 106 of the National Historic Preservation Act of 1966, as amended, is necessary. This determination is based upon one or more of the following:

- a. The permit area has been extensively modified by previous work.
- b. The permit area has been recently created.
- c. The proposed activity is of limited nature and scope.
- d. Review of the latest published version of the National Register shows that no presence of registered properties listed as being eligible for inclusion therein are in the permit area or general vicinity.
- e. Coordination with the State Historic Preservation Officer and/or Tribal Historic Preservation Officer(s)

The following authorizations have been applied for, or have been, or will be obtained:

- () Permit, License or Assent from State.
- (x) Permit from Local Wetland Agency or Conservation Commission.
- (x) Water Quality Certification in accordance with Section 401 of the Clean Water Act.

In order to properly evaluate the proposal, we are seeking public comment. Anyone wishing to comment is encouraged to do so. **Comments should be submitted in writing by the above date.** If you have any questions, please contact Barbara Newman at (978) 318-8515, (800) 343-4789 or (800) 362-4367, if calling from within Massachusetts.

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider the application. Requests for a public hearing shall specifically state the reasons for holding a public hearing. The Corps holds public hearings for the purpose of obtaining public comments when that is the best means for understanding a wide variety of concerns from a diverse segment of the public.

The initial determinations made herein will be reviewed in light of facts submitted in response to this notice. All comments will be considered a matter of public record. Copies of letters of objection will be forwarded to the applicant who will normally be requested to contact objectors directly in an effort to reach an understanding.

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For more information on the New England District Corps of Engineers programs, visit our website at http://www.nae.usace.army.mil.

THIS NOTICE IS NOT AN AUTHORIZATION TO DO ANY WORK.

| Robert J. DeSista Chief, Permits and Enforcement Branch Regulatory Division |
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| Regulatory Division |
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If you would prefer not to continue receiving Public Notices, please contact Ms. Tina Chaisson at (978) 318-8058 or e-mail her at bettina.m.chaisson@usace.army.mil. You may also check here () and return this portion of the Public Notice to: Bettina Chaisson, Regulatory Division, U.S. Army Corps of Engineers, 696 Virginia Road, Concord, MA 01742-2751.

| NAME: | |
|----------|--|
| ADDRESS: | |

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PROPOSED WORK AND PURPOSE

The work includes the discharge of fill, of which 120 square feet will be placed below the Ordinary High Water Mark (OHWM), along 120 feet of the northern side of the Long Meadow Brook located to the rear of the 110 Rubber Avenue, Naugatuck, Property, also known as the Club Uniao Portuguesa Inc., for the purpose of stream bank stabilization. The project will also convey the site's storm water runoff toward the edge of the riverbank into a strip of grasses and vines before discharging into the river. The work will take place within a Federal Emergency Management Agency (FEMA) identified floodway and therefore requires an Individual Permit.

The work is described on the enclosed plans entitled "Borough of Naugatuck, Long Meadow Brook, Brookside Improvements at 110 Rubber Ave" on six (6) sheets, and dated "February 26, 2009." The proposed wall will replace an existing wall that has deteriorated over the years and is currently deficient in providing structural support of the existing parking lot. The Borough of Naugatuck also wishes to enhance the appearance of the river bank, and will be providing small shade trees, lighting and fencing along the top of the new retaining wall on the riverbank

To stabilize the 120 feet of river bank slope, the applicants propose to remove the existing stone retaining wall and excavate as required for installation of the retaining wall system. Granular base material may be used and compacted to provide a hard and level surface to support the wall units. The applicant may substitute lean concrete for some of the base material. The precast segmental concrete block retaining wall will then be installed. Sand or aggregate for unit and backfill will also be used, to the extent necessary. Stones removed from the existing retaining wall, along with stones and boulders taken from the brook, will be utilized along the base of the wall to provide increased aquatic habitat and prevent scour. Trees and plantings will be placed at the top of the wall to provide shade and storm water filtration. The project also involves the installation of a swale to drain storm water runoff from the parking lot.

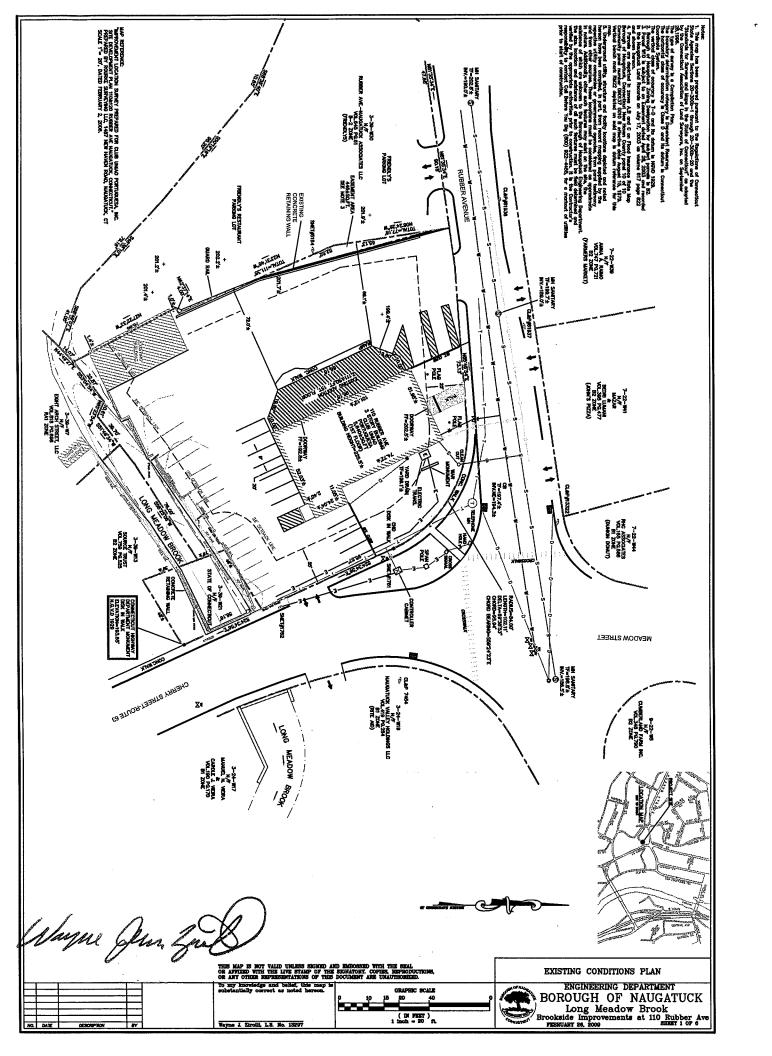
Various alternatives to the method above were also considered. A "no work" alternative was included but rejected because the applicant stated that the erosion problem would continue. Changing the grading of the river bank to create a less vertical slope, was considered but rejected because the applicant thought it would require the removal of ten to fifteen feet of the property's parking lot, and would change the profile of the stream channel. Another alternative of using re-enforced concrete retaining wall was rejected because the applicant stated that it would require the wall to extend into the stream bed further than the recommended one and increase construction time and costs.

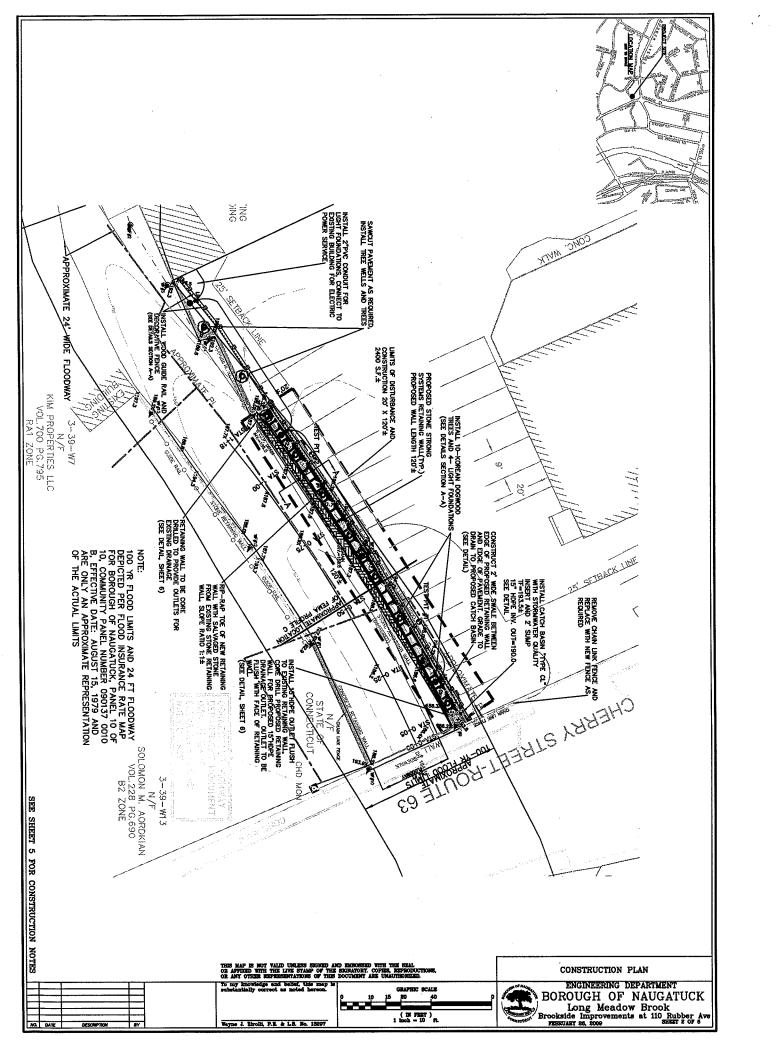
The stream bank stabilization work is expected to take place during low seasonal groundwater and low flows and will take approximately seven (7) days to complete. Various erosion and sedimentation control devices will be used, and a cofferdam will be installed in-stream. A sump pump will remove excess water and place it into a temporary discharge basin placed near the top of the wall in the parking lot.

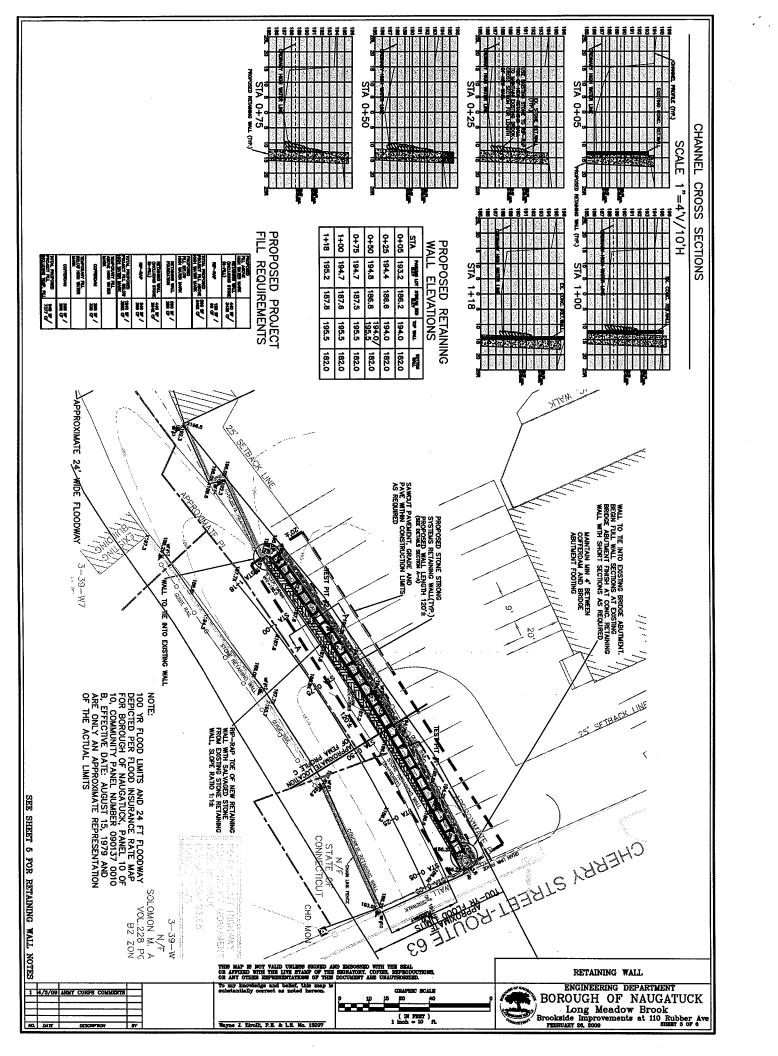
USGS Quadrangle Map: Naugatuck Map Scale: /: スキャックッ (パニューシャッ)

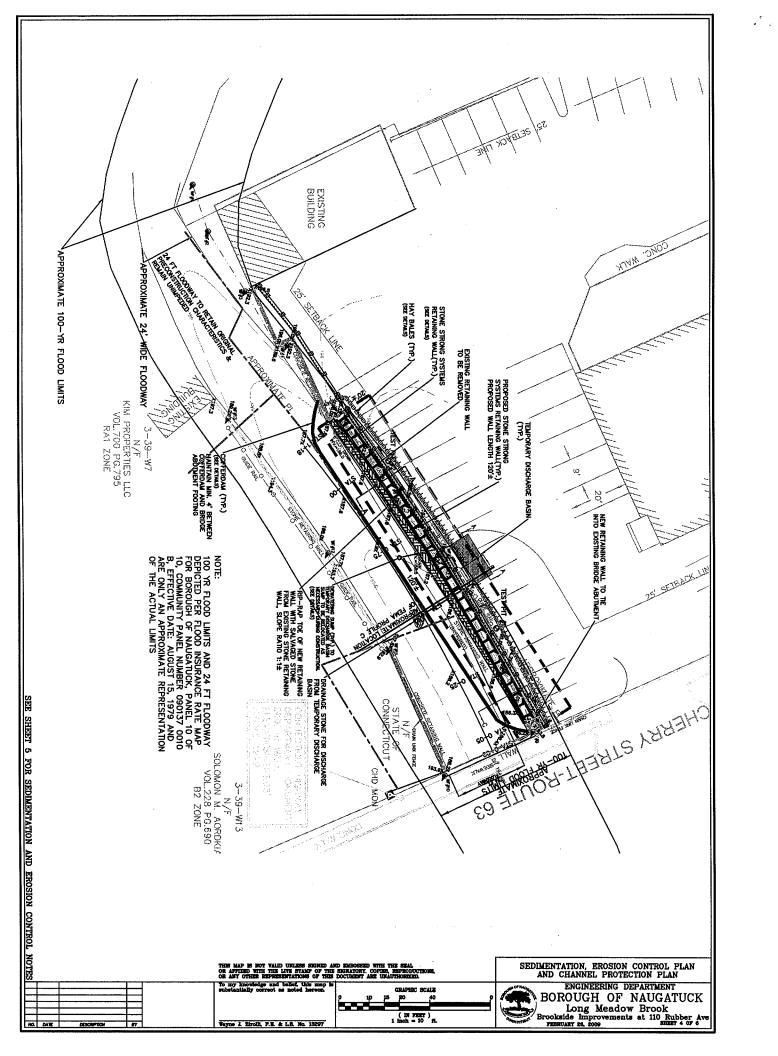
Project Site

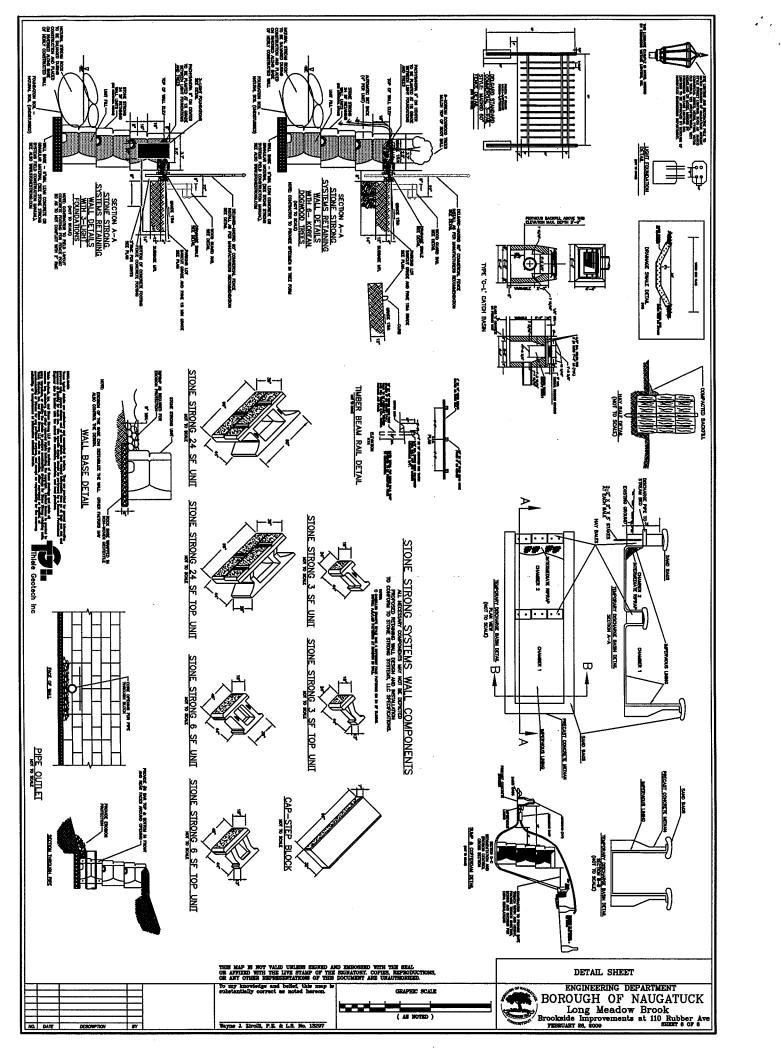












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[CONTIGOR collection citation shall be performed in such a manner on to credit under disturbance or pollution to the existing evidents and evidence are many be required. The Contractor shall refer to the "2002 Connecticut distallation for Soil Ensien and Soilment Control for collection do conservation measures as may be required. All Soilmentation and Ensien Controls shall be installed prior to the start of construction and shall be monitored and maintained throughpool. construction. All disturbance and electring of the construction site shall be legal to a minimum to prevent unrecessory ensien from occurring during construction. A disturbance and electring of the construction site shall be legal to a minimum to prevent unrecessory ensient from occurring during construction. A disturbance area shall be established on re-established as soon to possible. The proposed project will consist of reploying 120 text of or existing reliabing and and a portion of on existing porting bit. The project does date for brists and global text, present out does doing the reference and grading of the replocament portion of the porting bit will be such that runoff water quality as the invented prior to descharging this the first. The project construction to orbitophish to begin in amornion a sarrly fall of 2009, and be completed by late fall of 2009. The "Sequence of Construction" for Construction Sequence. Developing of the construction who shall only be performed during the period of low groundwater flow. Contraction design to be opproved by the Borough of Hougeduck Diplemen. Any devise or construction modarities with suides the conference which be removed from the reversed prior to Contractor to happest and maintain all sediment and envelon controls daily. All materials and equipment to be housed off sits and temporarily stored. Additional controls may be required as per Baraugh Engineer. PORMY DECHMROE BASIN MOTES: responsibility for implementing and maintaining the Sedimentation and Evalum Control Plan years with the Barough of Inagotists when any exception of the part of the Control of Inagotists with the Control Plan years and the Control Plan y rgyrich way and/or easement shall be provided for all drainage facilities and entercourses which are proposed either for occeptance by the car provided by other property owners for the convenience of the Barough of Maugnituds. CONSTRUCTION NOTES, RETAINING WALL NOTES & SEDIMENTATION AND EROSION CONTROL NOTES ENGINEERING DEPARTMENT BOROUGH OF NAUGATUCK Long Meadow Brook Brookside Improvements at 110 Rubber Av FERSUARY 28, 2009 (AS NOTED)